

United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: SAN FRANCISCO

07 DEC -4 PM 1:41  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing UNITED STATES OF AMERICA,

v.

SI

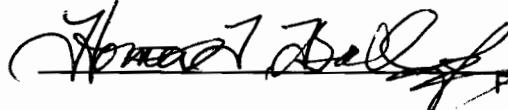
JUAN HERRERA-SANTOS

DEFENDANT.

INDICTMENT

Title 8, United States Code, section 1326 - Illegal  
Reentry by an Alien After Deportation (Class C Felony)

A true bill.

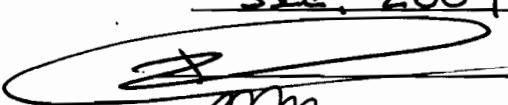
  
Foreman

Filed in open court this 4 day of

Dec. 2007

Brenda Tolbert

Clerk

  
MARIA-ELENA JAMES

Bail, \$

No bond

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

Title 8 U.S.C., Section 1326 -  
Illegal Reentry by an Alien After  
Deportation (Class C Felony)

- Petty  
 Minor  
 Misde-  
 Felony

**E-filing****PENALTY:**

Maximum Prison Term of 20 Years;  
 Maximum Fine \$250,000;  
 Maximum Term of Supervised Release of 3 Years;  
 Mandatory Special Assessment of \$100.

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)  
 Department of Homeland Security/Immigration Customs Enforcement

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed  
 which were dismissed on motion of:

U.S. Att'y  Defense  
 this prosecution relates to a pending case involving this same defendant  
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.  
 } MAGISTRATE CASE NO.

07-70692

Name and Office of Person Furnishing Information on THIS FORM

**SCOTT N. SCHOOLS**

U.S. Att'y  Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

TAREK HELOU

Has detainer been filed?  Yes  No } If "Yes" give date filed

DATE OF ARREST } Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY } Month/Day/Year  
 11/13/2007

This report amends AO 257 previously submitted

**PROCESS:**

SUMMONS  NO PROCESS\*

If Summons, complete following:

Arraignment  Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

Name of District Court, and/or Judge/Judge/Magistrate Location  
**NORTHERN DISTRICT OF CALIFORNIA**

DEFENDANT - U.S.

JUAN HERRERA-SANTOS

DISTRICT COURT NUMBER

**CR 07 0764 SI**

**DEFENDANT****IS NOT IN CUSTODY**

- 1)  Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

**IS IN CUSTODY**

- 4)  On this charge
- 5)  On another conviction
- 6)  Awaiting trial on other charges }  Fed'l  State

If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No } If "Yes" give date filed

DATE OF ARREST } Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY } Month/Day/Year  
 11/13/2007

**ORIGINAL****FILED**

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RICHARD H. WILKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 SCOTT N. SCHOOLS (SCBN 9990)  
 2 United States Attorney

**E-filing**

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 CR 07 0764 SI  
 12 UNITED STATES OF AMERICA, } No.  
 13 Plaintiff, }  
 14 v. }  
 15 JUAN HERRERA-SANTOS, }  
 16 Defendant. }  
 17 \_\_\_\_\_

VIOLATION: 8 U.S.C. § 1326 – Illegal Reentry Following Deportation

SAN FRANCISCO VENUE

18 INDICTMENT

19 The Grand Jury charges:

20 On or about October 3, 2001, September 7, 2002, April 9, 2003, April 22, 2005, July 1,  
 21 2005, November 30, 2005, November 28, 2006, and February 22, 2007, the defendant,  
 22 JUAN HERRERA-SANTOS,  
 23 an alien, was excluded, deported and removed from the United States, and thereafter, on or about  
 24 September 17, 2007, was found in the Northern District of California, the Attorney General of the  
 25 United States and the Secretary for Homeland Security not having expressly consented to a re-

26 //

27 //

28 //

1 application by the defendant for admission into the United States, in violation of Title 8, United  
2 States Code, Section 1326.

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4 DATED: December 9, 2007

A TRUE BILL.

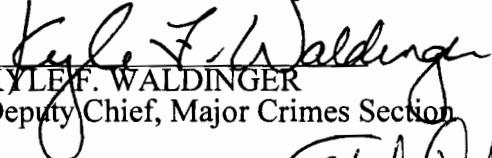
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7 SCOTT N. SCHOOLS  
United States Attorney

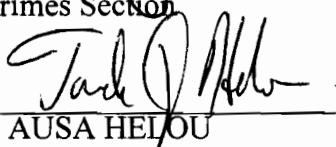
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KYLE F. WALDINGER  
Deputy Chief, Major Crimes Section

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(Approved as to form:   
AUSA HELOU)

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FOREPERSON